

DOCKET FILE COPY ORIGINAL

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

RECEIVED & INSPECTED

APR 17 2006

FCC - MAILROOM

In the Matter of )  
 )  
Request for Review by Colegio Católico )  
Notre Dame ) Form 471 Application No. 463208  
Decision of the Universal Service )  
Administrator )  
Schools and Libraries Universal Service ) CC Docket No. 02-6  
Support Mechanism )  
 )

TO: Wireline Competition Bureau

**REQUEST FOR REVIEW**

Pursuant to Sections 54.719(c) and 54.721 of the Federal Communications Commission ("Commission" or "FCC") rules, 47 C.F.R. §§ 54.719(c) and 54.721 (2003), Colegio Católico Notre Dame ("Colegio Notre Dame") hereby appeals the decision of the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company to reduce the requested discount in Funding Year 8 (07/01/2005 – 06/30/2006) from 90% to 70%.

**I. BACKGROUND**

On February 18, 2005, Colegio Notre Dame filed a FCC Form 471 with the SLD indicating the services for which it was requesting discounts under the schools and libraries universal service support mechanism (the "E-rate program").<sup>1</sup> On Block 4 of its 471 application, Colegio Notre Dame indicated that 1045 out of 799 students enrolled during the 2005-2006 academic year qualified for a free or reduced price lunch under the National School Lunch Program ("NSLP") and requested a 90% discount on all of its funding requests. During Colegio Notre Dame's application review, the SLD requested documentation supporting the eligible

<sup>1</sup> FCC Form 471 No. 463208, Colegio Católico Notre Dame (Exhibit A).

U.S. District Court  
District of Columbia  
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discount rate for the school through the Consorcio Escuelas Catolicas.<sup>2</sup> Specifically, the information request, which was delivered to Colegio Notre Dame, requested the following information:

1. The total number of enrolled.
2. Total number of surveys/applications sent out
3. Number of survey/application returned
4. Total number of students that qualifies for the National School Lunch Program, using the Income Eligibility Guidelines (IEG) of the NSLP, per returned surveys/applications
5. Are the surveys/applications and results kept on file.
6. Provide a sample copy of the FILLED OUT SURVEY/APPLICATION with the child's personal information crossed out for confidentiality.
7. A signed certification that reads: "I certify that only those students who meet the Income Eligibility of the National School Lunch Program have been included in Column 5 of item 10b, Block 4 (Worksheet A) of the Form 471."
8. The information must be in writing on the school letterhead and signed by a school official (such as the Principal, Vice – Principal Superintendent, Director of Food Services.

On December 9, 2005 Colegio Notre Dame provided the information requested to the SLD on school letterhead and signed by the school Principal, Sister Bernardine Fontanez.<sup>3</sup> In its response, Colegio Notre Dame indicated that there were 1097 students enrolled, that 1097 surveys/applications were sent out and that 976 surveys/applications were returned. It also indicates from those 976 survey/applications returned 813 students qualifies for the NSLP, that the surveys/applications and its results are kept on file and certified that only the students who meet the IEG of the NSLP had being included in Column 5 item 10b of block 4 (worksheet A) of the Form 471. Colegio Notre Dame also provided a sample copy of the socio-economic survey<sup>4</sup>.

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<sup>2</sup> See letter from Fabio Nieto, Schools and Libraries Division, Program Integrity Assurance, to Gilberto Pérez, dated November 29, 2005 (Exhibit B).

<sup>3</sup> See Letter from Colegio Notre Dame, Director Sister Bernardine Fontanez to Schools and Libraries Division, Program Integrity Assurance, dated December 9, 2005 (Exhibit C).

<sup>4</sup> See Results of survey on Exhibit C, response number 4.

On March 01, 2006, the SLD issued a funding commitment decision letter reducing the discount rate from 90% to 70%. The SLD provided no explanation on the reason for the percentage reduction.

It is our assumption that the SLD established the basis for the decision of awarding a 70% discount versus the 90% originally requested on the conflicting information provided by Colegio Notre Dame in the submitted SLD Form 471 and the response to the PIA request for information. (Exhibits D). These numbers are not consistent with the numbers included in the applicant form 471. (Exhibit A) **Exhibit A shows the numbers of students for Block 4, Column 4 (1045) and also gives the required information to determine the correct number for Block 4, Column 5 (799).**

The survey, which had been provided to the SLD during the PIA review process, asked parents to provide the size of the family, the number of students enrolled in the school, and the household income. Out of the 1097 surveys distributed, 976 of the students completed the survey. From the 976 completed surveys, 813 (83.2 %) were determined to be eligible for a free or reduced price lunch under the NSLP in accordance with the Income Eligibility Guidelines of the U.S. Department of Agriculture. Following the SLD's guidelines we can get to the conclusion that in Colegio Notre Dame 813 students, or 83.2 % of its student population, qualified for a free or reduced-price lunch under the NSLP. Using the discount matrix set forth in the FCC rules, a school with 83.2 % of its student population eligible for the national school lunch program qualifies for 90% discount under the schools and libraries universal service support mechanism.

## **II. COLEGIO NOTRE DAME CORRECTLY DETERMINED THE PERCENTAGE OF STUDENTS ELIGIBLE FOR A FREE OR REDUCED-PRICE LUNCH UNDER THE NSLP.**

**Colegio Notre Dame filed an SLD Form 471 with accurate information on Block 4, alternately, when, requested to submit sufficient evidence to the PIA to demonstrate the percentage of students eligible for a free or reduced – price lunch under the NSLP (90%).**

Under the Commission's rules, the discount available to a particular school is determined by indicators of poverty and high relative cost of service.<sup>5</sup> First, the level of poverty for schools is measured by the percentage of their student enrollment that is eligible for a free or reduced-price lunch under the NSLP or a federally-approved alternative mechanism outlined in Title I of the Improving America's School Act (IASA).<sup>6</sup> These federally-approved alternative mechanisms include data comparable to the NSLP data that is collected through surveys. As the Commission has acknowledged, surveys are particularly relevant to schools that many not have access to NSLP data, such as private schools.<sup>7</sup> Second, a school's high-cost status is derived from rules that classify it as urban or rural.<sup>8</sup> The Commission's rules provide a matrix reflecting both the school's urban or rural status and the percentage of its students who are eligible for the school lunch program to establish its discount rate, ranging from 20 percent to 90 percent.<sup>9</sup>

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<sup>5</sup> 47 C.F.R. § 54.505(b).

<sup>6</sup> 47 C.F.R. § 54.505(b)(1); *Federal-State Joint Board on Universal Service*, Report and Order, CC Docket No. 96-45, FCC 97-157, 12 FCC Rcd 8776, ¶¶ 508-09 (rel. May 8, 1997).

<sup>7</sup> See *School for Language and Communication Development*, Order, 17 FCC Rcd 15166 (rel. Aug. 6, 2002).

<sup>8</sup> 47 C.F.R. §§ 54.505(b)(3)(i), (ii).

<sup>9</sup> 47 C.F.R. § 54.505(c).

Because NSLP data is unavailable for Colegio Notre Dame, it used a federally-approved alternative mechanism that relies on actual counts of low-income children to determine the level of poverty.

**III. THE SLD ERRONEOUSLY CONCLUDED THAT COLEGIO NOTRE DAME QUALIFIED FOR A 70% DISCOUNT AND FAILED IN NOT REQUESTING ADDITIONAL INFORMATION TO THE SCHOOL AND CLARIFY THE CONFLICTING INFORMATION.**

Colegio Notre Dame submitted to the SLD what it was requested information when was asked to answer: (a) the total number of students (1097 students), (b) the number of surveys/applications sent out (1097), (c) the number of surveys/applications returned (976) (d) the number of students qualified to participate in the NSLP, 813 (based on the SLD projection guidelines), (e) if the survey/applications were kept on file, yes, (f) and (g) certification that only students that meet the IEG of the NSLP have been included in Column 5, item 10b of block 4 (worksheet A) of the Form 471. In addition, Colegio Notre Dame provided a sample copy of the socio-economic survey conducted by the school. No additional documentation supporting the eligible discount rate for the school was requested.


**IV. CONCLUSION**

Colegio Notre Dame provided clear evidence to the SLD that it qualified for a 90% discount under the E-rate program since 813 out of 976 students (83.2 % of the student population) were eligible for a free or reduced price lunch under the NSLP. This data was collected through a survey that was conducted in accordance with the SLD's guidelines. Furthermore, the school provided the SLD with all the information that was requested during the application review process. Therefore, the SLD erred in its decision to reduce the discount rate from the requested 90% to 20%. Colegio Notre Dame respectfully requests that the Commission

reverse the SLD's decision on reducing the discount percentage and grant its application to be funded at a 90% discount.

Respectfully submitted,

**COLEGIO CATOLICO NOTRE DAME**

A handwritten signature in dark ink, appearing to read "Sister Bernardine Fontanez", written over a horizontal line.

Sister Bernardine Fontanez  
Director, Colegio Catolico Notre Dame  
P O Box 967  
Caguas, PR 00726  
Tel: 787-743-2386  
Fax: 787-744-6464

April 6, 2006

FCC Form 471

Do not write in this area.

Appr:

EXHIBIT A

**Schools and Libraries Universal Service  
Description of Services Ordered and Certification Form 471**

Estimated Average Burden Hours per Response: 4 hours

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for it. Fund Administrator can set aside sufficient support to reimburse providers for services.

Please read instructions before beginning this application. (You can also file online at [www.sl.universalservice.org](http://www.sl.universalservice.org))  
The instructions include information on the deadlines for filing this application.

**Applicant's Form Identifier**

(Create your own code to identify THIS Form 471) NOTRE DAME 05-1B

**Form 471 Application#**

(To be assigned by administrator)

463208

**Block 1: Billed Entity Information** (The "Billed Entity" is the entity paying the bills for the service listed on this form.)

1 a Name of Billed Entity Colegio Catolico Notre Dame Elemental

2 a Funding Year: July 1, 2005 Through June 30, 2006

Billed Entity Number: 199857

4 a Street Address, P.O. Box, or Routing Number Calle Santiago Final

City Caguas

State PR

Zip Code 00726

5 a Type of Application ☒ Individual School (individual public or non-public school)  
☐ School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)  
☐ Library (including library system, library outlet/branch or library consortium as defined under LSTA)  
☐ Consortium ☐ Check here if any members of this consortium are ineligible or non-governmental entities

6 Contact Person's Name GILBERTO PEREZ

First, if the Contact Person's Street Address is the same as in Item 4, check this box. ☐ If not, please complete the entries for the Street A

b Street Address, P.O. Box, or Routing Number CALLE MUNOZ RIVERA #85 FINAL

City CAGUAS

State PR

Zip Code 00725

Page 1 of 7



FCC Form 471 - Nov

Entity Number 199857

Applicant's Form Identifier NOTRE DAME 05-1B

Contact Person GILBERTO PEREZ

Phone Number 787-743-1171

This information will facilitate the processing of your applications. Please complete all rows that apply to services for which you are requesting discount

[http://www.sl.universalservice.org/FY3\\_Form471/FY8\\_471PrintInfo.asp?Form471ID=4632...](http://www.sl.universalservice.org/FY3_Form471/FY8_471PrintInfo.asp?Form471ID=4632...) 4/4/2006

information on the FIRST Form 471 you file, to encompass this and all other Forms 471 you will file for this funding year. You need not complete this subsequent Forms 471. Provide your best estimates for the services ordered across ALL of your Forms 471.

Schools/school districts complete Item 7. Libraries complete Item 8. Consortia complete Item 7 and/or Item 8.

### Block 2: Impact of Services Ordered on Schools

IF THIS APPLICATION INCLUDES SCHOOLS...	BEFORE ORDER
7a Number of students to be served	
b Telephone service: Number of classrooms with phone service	0
c Dial-up Internet access: Number of connections (up to 56kbps)	0
d Direct broadband services: Number of buildings served at the following speeds: Less than 10 mbps	2
e Direct connections to the Internet: Number of drops	35
f Number of classrooms with Internet access	18
g Number of computers or other devices with Internet access	81

### Block 3: Impact of Services Ordered on Libraries

NOT APPLICABLE AS THIS APPLICATION IS FOR SCHOOL

Worksheet A No: 895424

Student Count: 1045

Weighted Product (Sum. Column 8): 940.5

Shared Discount: 1

1. School Name: Colegio Catolico Notre Dame Elemental

2. Entity Number: 199857 NCES:

3. Rural/Urban: Urban

4. Student Count: 1045

5. NSLP Students: 799

6. NSLP Students/Students: 76.459%

7. Discount: 90%

8. Weighted Product: 940.5

9. Pre-K/Adult Ed/Juv:

10. Alt Disc Mech:

### Block 5: Discount Funding Request(s)

FRN: 1319960 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 751120000505420
13. SPIN: 143012431	14. Service Provider Name: Puerto Rico Telephone Company, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: T
15c. Covered under State Master Contract:	15d. FRN from Previous Year:



16a. Billing Account Number: 787-743-2385	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 11/23/2004	18. Contract Award Date:
19a. Service Start Date: 07/01/2005	19b. Service End Date: 06/30/2006
20. Contract Expiration Date:	
21. Attachment #: 1	22. Block 4 Entity Number: 199857
23a. Monthly Charges: \$344.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$344.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$4,128.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$4,128.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$3,715.20	

FRN: 1319986 FCDL Date:	
10. Original FRN:	
11. Category of Service: Internet Access	12. 470 Application Number: 751120000505420
13. SPIN: 143022658	14. Service Provider Name: A New Vision In Educational Services and Materials (NEVESEM)
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: MTM
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 01CAT2001	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 11/23/2004	18. Contract Award Date:
19a. Service Start Date: 07/01/2005	19b. Service End Date: 06/30/2006
20. Contract Expiration Date:	
21. Attachment #: 2	22. Block 4 Entity Number: 199857
23a. Monthly Charges: \$2,640.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$2,640.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$31,680.00	
23f. Annual non-recurring (one-time) charges: \$5,520.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$5,520.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$37,200.00	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request ( 23i x 23j): \$33,480.00	

## Block 6: Certifications and Signature

Do not write in this area.

Application ID:463208

Entity Number	199857	Applicant's Form Identifier	NOTRE DAME 05-1B
Contact	GILBERTO		787-743-

Person

PEREZ

Phone Number

1171

**Block 6: Certifications and Signature**

24. ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (check one or both)
- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools including, but not limited to elementary, secondary schools, colleges, or universities
25. ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed in this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a.	Total funding year pre-discount amount on this Form 471 (Add the entities from Item 23i on all Block 5 Discount Funding Requests.)	\$41,328.00
b.	Total funding commitment request amount on this Form 471 (Add the entities from Items 23K on all Block 5 Discount Funding Requests.)	\$28,929.60
c.	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	\$12,398.40
d.	Total budgeted amount allocated to resources not eligible for E-rate support	\$52,500.00
e.	Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)	\$64,898.40
f.	<input type="checkbox"/> Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Items 25e.	

26. ☒ I certify that all of the schools and libraries or library consortia listed in Block 4 of this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, and an SLD-certified technology plan approver, prior to the commencement of service. The plans are written at the following level(s):
- a. ☐ an individual technology plan for using the services requested in this application; and/or
- b. ☒ higher-level technology plan(s) for using the services requested in this application; or
- c. ☐ no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.
27. ☒ I certify that I posted my Form 470 and (if applicable) made my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.



28. ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application

have complied with them.

29. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.600(k). Additionally, I certify that the Billed Entity has not received anything of value or a promise of anything of value, other than services and equipment requested under this form, from the service provider(s) or any representative or agent thereof or any consultant in connection with this request for services.
30. ☒ I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
31. ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
32. ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
33. ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity (ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity (ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of this program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under the Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.
34. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
35. ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and ineligible companies as required by the Commission's rules at 47 C.F.R. Sec. 54.504(g)(1),(2).
36. ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.506(c).
37. ☒ I certify that the non-discounted portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services features on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

38. Signature of authorized person

39. Signature Date 2/18/05

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

**Please submit this form to:**

**SLD-Form 471  
P.O. Box 7026  
Lawrence, Kansas 66044-7026**

**For express delivery services or U.S. Postal Service, Return Receipt Requested,  
mail this form to:**

**SLD Forms  
ATTN: SLD Form 471  
3833 Greenway Drive  
Lawrence, Kansas 66046  
(888) 203-8100**



**Universal Service Administrative Company**  
Schools & Libraries Division

Date: 11/29/2005

**EXHIBIT B**

Dear: Gilberto Perez  
Phone #- 787-743-1171

Application Number- 450013 (BEN- 157732), 451295 (BEN- 159938), 463208 (BEN- 199857), 475058 (BEN- 199864), 450448 (BEN- 199998), 450707 (BEN- 200008), 452066 (BEN- 200051), 449388 (BEN- 200062), 452375 (BEN- 200253), 450318 (BEN- 200273), 451622 (BEN- 200279), 450746 (BEN- 216679), 485356 (BEN- 219945)

The Program Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. We are currently in the process of reviewing your Funding Year 2005 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

1. For the Billed Entity listed below, we do not have the associated FCC Registration Number (FCC RN). The FCC, in its Fifth Report and Order, requires entities that currently participate in the Schools and Libraries Support Mechanism have an FCC Registration Number. This requirement applies to schools, libraries, non-instructional facilities, consortium leaders, service providers and consultants.

<b>BEN</b>	<b>FCC RN</b>
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157732 (Academia Cristo De Los Milagros)	
159938 (Colegio San Benito)	
199857 (Colegio Catolico Notre Dame Elemental)	
199867 (Colegio San Jose Elemental)	
199998 (Academia San Alfonso)	
200008 (Academia Santa Teresita)	
200051 (Colegio Catolico La Merced)	
200062 (Colegio Santiago Apostol)	
200253 (Colegio Corazon de Maria)	
200273 (Colegio Nuestra Senora del Perpetuo Socorro De Humacao)	
200279 (Colegio San Francisco de Asis, Inc.)	
216679 (Colegio San Jose Secundario)	
219945 (Superintendencia Esuelas Catolica Diocis Caguas)	

If you already have an FCC Registration Number for your Billed Entity (the entity listed in Block 1 of the Form 471), please provide that FCC Registration Number.

If you do not yet have an FCC Registration Number, you can obtain one by applying to the FCC, at [www.fcc.gov](http://www.fcc.gov). Click on link for CORES (Commission Registration System), or go directly at the FCC CORES registration site at <https://svartifoss2.fcc.gov/core/CoresHome.html>.

After obtaining the FCC Registration Number, please provide us the FCC Registration Number.

Additional guidance on this topic and filing tips are located in the Reference area of our website, under "FCC Registration Numbers" <http://www.sl.universalservice.org/whatsnew/2004-102004.asp#102804>

You will need your Taxpayer Identification Number (TIN) to obtain an FCC Registration Number. For some employers, including state and local government agencies and non-profit organizations, the TIN is the IRS-issued Employer Identification Number (EIN).

2. For FRN 450013, 451295, 463208, 475058, 450448, 450707, 452066, 449388, 452375, 450318, 451622, 450746 & 485356 for Internet Access services, please provide a statement that the services will only be delivered to eligible users at eligible locations. The rules of this support mechanism do not allow for services or products to be provided to residential homes or other non-school/library facilities (i.e., students and teachers may not dial in from home to access the Internet; there can be no community access, etc). "Remote access" where users from any location use their own Internet account to access school or library information, is eligible for funding. If this funding request for Internet Access is strictly limited to services used only at eligible locations by eligible users, then please confirm in writing the following:

**"The Internet Access service for which I seek discounts will be strictly limited to providing services only at eligible locations and used only by eligible users. Access to the Internet will not be provided to homes or other non-school or non-library sites."**

Signed \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_ 2005

The above statement must be signed by the chief school official (such as the principal or superintendent). If you are unable to make such a certification, because the statement is not correct, please indicate such.

3. For the Internet Access funding requests on applications 450013, 451295, 463208, 475058, 450448, 450707, 452066, 449388, 452375, 450318, 451622, 450746 & 485356, I will need to know the make and model numbers of any equipment included in this request and that will be serviced under the maintenance charge. Please also provide a Yes or No answer to the following 8 questions:

Based on the documentation provided it appears that there charges associated with on-premise equipment. The FCC has indicated that equipment at the applicant site is presumed to be Internal Connections, but that this presumption can be overcome in certain circumstances. In order for us to evaluate your request, please provide the following information. You may consult with your service provider for assistance, if desired. Please be sure to sign your response and list your title.

1. Is the leased on-premise equipment an integral component of a Telecommunications or Internet Access service?
2. Will the leased on-premise equipment be provided by the same service provider that provides the associated Telecommunications Service or Internet Access service?
3. Does responsibility for maintaining the equipment rest with the service provider?
4. Will ownership of the equipment transfer to the school or library in the future?
5. Does the relevant contract or lease include an option for the applicant to purchase the equipment?
5. Will the leased equipment be used at the applicant site for any purpose other than receipt of the eligible Telecommunications Services or Internet Access of which it is a part?
7. Will the school's or library's internal communications network function without dependence on the equipment?

8. Are there any contractual, technical, or other limitations that would prevent the service provider from using equipment that would normally be shared in other similar arrangements with other customers?

4. Based upon review of your Form 471 application, we were not able to validate your requested discount percentage of:

90% for Colegio Catolico Notre Dame Elemental

60% for Colegio San Jose Elemental

90% for Colegio Santiago Apostol

80% for Colegio Corazon de Maria

80% for Colegio Nuestra Senora del Perpetuo Socorro De Humacao

80% for Colegio San Francisco de Asis, Inc.

If you choose to validate your original requested discount percentage then please provide the appropriate documentation if one of the following acceptable methods were used:

A. If the school participates in a National School Lunch Program (NSLP), please provide us a signed copy (preferably by the Principal, Vice-Principal, Superintendent or chief school official, or Director of Food Services) of the October Reimbursement Claim Form that the school sends to the state each month. Make sure that the following 3 items are identified:

- 1) The Entity name
- 2) The total number of students enrolled at the entity
- 3) The total number of students eligible for Free/Reduced Lunch Program for the entity

If the school district fills out an aggregate form for the school district, provide the October Reimbursement Claim Form along with a signed letter from a school official (preferably the Superintendent (or chief school official)) that lists the enrollment and Free/Reduced information for each school in the district.

B. If the discount percentage was determined by information obtained from a survey/application, please provide the following information:

- 1) Total number of students enrolled
- 2) Total number of surveys/applications sent out
- 3) Number of surveys/applications returned
- 4) Total number of students qualified for NSLP per the returned surveys/applications
- 5) Are the surveys/applications and results kept on file.
- 6) Provide a sample copy of a FILLED OUT SURVEY/APPLICATION with the child's personal information crossed out for confidentiality.
- 7) A signed certification that reads: "I certify that only those students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 of Item 9a, of Block 4 of the Form 471."
- 8) This information must be in writing on school letterhead and signed by a school official (such as the Principal, Vice-Principal, Superintendent or chief school official, Director of Food Services).

C. If the discount was determined using a different method than what was identified above, please indicate the method that was used and provide all relevant data.

Please clearly state whether all Internet Access requests include the same equipment and meet the same guideline.

5. Based upon review of your Form 471 application, we were not able to validate your requested rural classification for Colegio Nuestra Senora del Perpetuo Socorro de Humacao. The discount percentage for an entity is based on the entity's rural/urban classification and the percentage of students that meet the income eligibility requirements of the National School Lunch Program (NSLP). If the rural classification cannot be verified, the entity will be classified as urban and the discount percentage requested will be modified. Please provide the entity's physical address, the county in which it resides, and any documentation supporting your request for a rural status.

6. For application 485356, FRNs 1345995 & 1346041, please provide a description of service (local and/ or long distance) and the amount you are requesting for each FRN.

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review. **Failure to do so may result in a reduction or denial of funding.**

Should you wish to cancel this application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

**Please send the requested information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.**

Thank you for cooperation and continued support of the Universal Service Program.

Sincerely,

Fabio Nieto  
Schools and Libraries Division  
Program Integrity Assurance  
Phone: 973-884-8094  
FAX: 973-599-6579  
[fnieto@sl.universalservice.org](mailto:fnieto@sl.universalservice.org)





# *Colegio Católico Notre Dame*

Apartado 967  
Teléfono 787-743-2385  
Caguas, P.R. 00726

*Padres Redentoristas*

*Hermanas de Notre Dame*

To: Fabio Nieto  
PIA Reviewer  
Schools & Libraries Division

Via Fax: 973-599-6579

From: Sister Bernardine Fontanez  
Director  
Colegio Católico Notre Dame Elemental

**EXHIBIT C**

Date: December 9, 2005

Subject: Application Number 463208

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**1. FCC Registration Numbers - 0014366694**

**2. Remote Access Internet Access certifications:**

Annex A

**3. Internet Access – On premise equipment:**

After verifying the quotations for the schools with the Service Provider, they informed that there is **NO** On premise equipment included in the Internet Access